

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRANDON MICHAEL GAMINO,
Plaintiff,
v.
MICHAEL PEAR,
Defendant.

Case No. 2:23-cv-02519-TLN-JDP

ORDER

On March 15, 2024, the magistrate judge filed findings and recommendations herein which were served on Plaintiff, and which contained notice to Plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 3.) The time to file objections has passed, and Plaintiff did not file any objections.

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed *de novo*. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the magistrate judge are reviewed *de novo* by both the district court and [the appellate] court”). Having reviewed the file, the Court finds the findings and recommendations to be supported by the record and by the proper analysis.

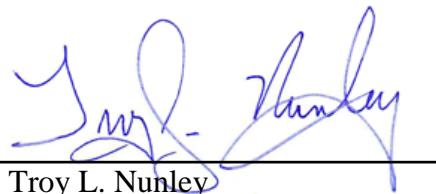
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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations, filed on March 15, 2024 (ECF No. 3), are ADOPTED IN FULL;
2. Plaintiff's Application to Proceed In Forma Pauperis (ECF No. 2) is GRANTED;
3. Plaintiff's Complaint is DISMISSED without leave to amend; and
4. The Clerk of Court is directed to close this case.

Date: April 10, 2024



Troy L. Nunley
United States District Judge